



Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

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MERRIMACK CONSERVATION COMMISSION MONDAY, JANUARY 8, 2024 MEETING MINUTES

CALL TO ORDER -

A Meeting of the Conservation Commission was called to order on Monday January 8, 2024 at 6:30 pm in the Memorial Room.

Steve Perkins, Chair, presided:

Members of the Commission Present:

Tom Martinson, Alternate Member
Eric Starr, Vice-Chair
Andrew Duane
Karis Welsh
Gage Perry
Andy Hunter, Town Councilor

Members of the Commission Absent

David Trippett, Alternate Member
Ellen Kolb
Danielle Melanson, Alternate Member

Also Participating:

- Carol Peabody, 4 Burt Street

Chair Perkins designated Commissioner Martinson to sit in as a voting member for Commissioner Kolb.

PUBLIC HEARINGS - None

NEW BUSINESS –

- **Review of Shoreland Permit Application from NHDOT regarding the F.E. Everett Turnpike Widening Project - The project (NHDOT 13761A) proposes to widen the roadway from two to three lanes in each direction with the addition of a northbound and southbound travel lane. The project begins just North of the Tinker Road overpass at Exit 8 in Nashua and continues North**

for approximately 2.2 miles, ending approximately 400 feet North of the Industrial Drive overpass at Exit 10 in Merrimack. The proposed project also involves the replacement of the existing bridges that carry the Turnpike over Bowers Pond and stormwater/drainage improvements.

Chair Perkins noted there is no action required on the part of the Conservation Commission for this application. The Commission reviewed the Standard Dredge & Fill application for this project at their last meeting and provided comments to the NH Department of Transportation (NHDOT). Commissioner Welsh asked for clarification regarding the possible land transfer. She questioned whether the mitigation funds would go to the State or Town if the land transfer wasn't accepted. Commissioner Perry said the money would go to the State fund and then anyone could apply to receive the necessary permits. The Commission would need to have projects ready to be submitted if they were to apply to receive these funds.

Commissioner Welsh suggested the Commission come up with a project if their request is not accepted. Commissioner Welsh asked if an invasive species management could be a mitigation project funded by the State. Commissioner Perry said this may be possible since it's a wetlands impact and there is a large amount of invasive plants in Town, such as Knotweed. Commissioner Perry noted they had contacts (From the State NH and UNH Cooperative Extension) from past projects who could help them determine which projects were potentially viable. The project description was also briefly touched upon.

- **Wildcat Falls Subcommittee meeting schedule** – *Submitted by Karis Welsh*

Chair Perkins noted there were a few individuals interested in joining the Wildcat Falls subcommittee. He said in the past, the Commission had interested individuals submit letters of interest. They could continue to follow that process, or perhaps streamline the process and handle these types of inquires at the annual meeting. Chair Perkins noted he had suggested individuals interested in joining subcommittees meet with the subcommittee rather than the Commission. Commissioner Welsh said unfortunately subcommittees meet less frequently than the Commission.

Chair Perkins stated quarterly subcommittee meetings were the expectation based on clarification he received from the Community Development Department. He said Wildcat Falls could meet currently as they would be able to meet quorum. It may be helpful for interested individuals to meet subcommittees to see what kind of projects they work on. If individuals aren't sure which subcommittee they would like to volunteer on, it might be best for them to start by meeting with the Conservation Commission. The Commission still needs to appoint individuals.

Commissioner Duane gave a brief overview of the Wildcat Falls subcommittee and typical projects they complete. Chair Perkins asked the Commissions preference

for dealing with any forthcoming subcommittee appointments. Commissioner Welsh noted that all of the recent inquires included letters of interest. Ms. Peabody then briefly spoke of her interest in joining one of the subcommittees. She has spent a lot of time at a few of the parcels and is interested in helping to maintain the land in anyway needed. Commissioner Duane said trail maintenance is typically minimal, though with the storms over the last few months, Spring cleanup may be more involved this year.

Chair Perkins suggested the next best step for the Wildcat Falls Subcommittee would be to schedule a meeting. Commissioner Welsh noted subcommittee meetings are open to the public. Chair Perkins asked Councilor Hunter how the Town Council deals with appointments. Councilor Hunter replied that they get a recommendation for appointment of the individual from the Board/Commission looking to make the appointment. Town Council members are included on the interview committee and then the appointment is presented to the Town Council for their vote. Consensus was to invite the individual to a subcommittee meeting and have the Subcommittee come forth with a recommendation to be shared with the Commission.

Commissioner Perry noted subcommittee meetings are quarterly and asked if individuals looking to join would have to wait until the next meeting. Chair Perkins said they wouldn't need to wait; they could call an audible. Commissioner Welsh suggested that the subcommittee call a special meeting for these types of issues.

Chair Perkins also mentioned that he is working with the subcommittees to keep consistent meeting schedules. He said that there are RSA 91-A requirements that require agendas to be posted in advance of a meeting so that members of the public can attend if they so choose. Minutes also need to be recorded and submitted (to Community Development) within 5 business days of a meeting taking place.

Ms. Peabody asked if individuals looking to join a subcommittee need to be approved by the Conservation Commission. Chair Perkins and Commissioner Welsh said yes, individuals need to be formally appointed to subcommittees. However, members of the public can still sit in on meetings and attend workdays without joining the subcommittee.

- **Discussion regarding annual winter carnival** – *Submitted by Steve Perkins*

The Conservation Commission has been invited to participate in the Parks & Recreation Departments annual winter carnival. It is a good event to meet the community and is typically well attended. In response to a question from Commissioner Welsh, Chair Perkins explained the winter carnival takes place at Wasserman Park. Several community organizations participate at the event which is open to the public and is free of charge. The Commission typically has a booth

where they display information about the land they own and the work they do. The carnival will be held on Saturday, February 24th from 12:00-3:00pm.

Chair Perkins asked everyone to check their schedules to see if anyone would be able to help out at the event. It would be great to have 3 or 4 Commissioners attend. Chair Perkins will reserve their free table at the event.

- **2024 seedling order update** – *Submitted by Gage Perry*

Commissioner Perry said some of the items have been ordered. Similar to the last few years, the NH Nursery was sold out of many items by the time the order was received. The plan is to wait for some other local organizations to have sales so a wider variety of seedlings can be purchased.

- **Discussion around Fund 53 Spending** – *Submitted by Steve Perkins*

Chair Perkins explained that once funding was approved in the past, items were purchased on a Town credit card. The Commission has been discouraged from following this method going forward. The Finance Department is happy to assist, but purchases generally have to be made Monday-Friday during their general business hours.

Councilor Hunter asked if the issue was that they don't have a credit card or that the funding was not pre-authorized before items, such as seedlings, went on sale. Commissioner Perry said it would be easiest to have a card for purchases. In the past they've used personal credit cards and been reimbursed by the Town. Aside from the recent seedling purchase, issues have occurred with other purchases. Coordinating Commissioners schedules and making sure items have been ordered by Finance and picked up by a Commissioner, before the store restocks the items, has been a consistent issue.

Chair Perkins added it's difficult for Town employees because they aren't the ones completing the projects and don't necessarily know what items to get if something is out of stock. Commissioner Perry was authorized to complete the seedling order which would have been easier for him to do if he had a credit card. Commissioner Perry said he wasn't concerned with purchasing the items on his card and getting reimbursed, but others may not be comfortable doing this. There should be a streamlined way to make purchases so Commission funds can be used to complete necessary projects. Perhaps the chair or a designated "treasurer" could be assigned to complete these kinds of purchases. It is hard for Commissioners with full time jobs to work within Town Hall hours. A different purchasing method may be helpful in making sure work is completed on time.

Commissioner Duane asked if Paypal may be a viable option. Councilor Hunter said he would start a discussion with the Town Manager to try and facilitate some

potential solutions while staying within the Towns procurement policies. Councilor Hunter said the same issues used to come up when the Town was purchasing vehicles. Typically, a department would send out a bid, then go to Town Council with any bid responses. Due to vehicles scarcity, many times a bid response was brought to Town Council after the vehicle had been purchased by another party. The Town Council pre-authorized departments to spend up to a certain amount to alleviate these types of issues. He will see if there is something similar they can work out.

- **Social media update** – *Submitted by Karis Welsh*

Commissioner Welsh said the Conservation Commission's Facebook page was launched on January 1, 2024. Posts can be scheduled up to one month in advance and have been scheduled to allow two or three posts a week on various topics to include meetings, updates, and educational topics. Commissioner Welsh has cross posted the items on her personal account as well as to other similar Facebook groups.

The response so far has been positive and individuals have been engaging with the content. Chair Perkins asked if she had plenty of content to create posts. Commissioner Welsh responded that she has about six months of material planned out. Commissioner Perry asked what kind of information was needed from Subcommittees for content creation. Commissioner Welsh said projects, events and photos would be all be helpful. She has reached out to each subcommittee and asked them to designate one member to send monthly updates she can post on their behalf. She asked anyone submitting photos to write a statement that they are ok with their photo being posted.

Commissioner Perry asked if she had a chance to look at the photos on the Merrimack Outdoors site. All of those photos were authorized for use by the individuals who took them. Commissioner Duane said he thought they decided user generated content would not be used on the Facebook page. Commissioner Welsh confirmed, individuals can only comment on posts. The discussion then touched on the difference between the Conservation Commission's Facebook page and the Merrimack Outdoors website and the content available on each.

- **Wood duck boxes** – *Submitted by Steve Perkins*

Chair Perkins explained the ice was not thick enough last year to place additional wood duck boxes. The Commission has placed boxes on various Conservation properties. There are currently six new duck boxes that need to be placed if the weather cooperates. Commissioner Perry said the duck boxes get mounted on standing dead trees and protect Ducklings from ground predators. The boxes are designed for wood ducks. Currently placed boxes need to be cleaned out and repaired for new wood ducks to use. This type of work typically only requires a few

volunteers at a time. Commissioner Perry suggested giving a shout-out on social media to the individual who has been supplying the duck boxes. They have been good quality items at an affordable price point.

- **Mitigation opportunities proposal** – *Submitted by Steve Perkins*

Chair Perkins said the Commission had received an email from a wetland soil scientist looking for anyone who may be affected by a solar array facility being placed in Kingston, NH to submit requests for potentially viable mitigation projects. He had not reached out to the individual yet, but they are looking for shovel ready mitigation project requests. If anyone wanted to reach out to the individual, the map prepared by GZA showing mitigation priorities would be helpful. The Conservation Commission was contacted because Merrimack partially falls within the watershed area where the solar facility is being installed.

Commissioner Welsh asked for clarification on the email. Consensus was that the email was looking for a mitigation project somewhere in the Merrimack watershed because they have another project that required mitigation but they can't do it. Chair Perkins said his understanding was also that any viable projects could be submitted for guidance as to whether they would be good ARM fund projects. Commissioner Duane said a homeowner had approach the Commission a few months ago about a chunk of their land adjacent to the Mitchell Town Forest. The land was mostly unusable Wetlands, he asked if this may be a suitable project. Commissioner Perry said they could ask about it, but the land is already relatively unbuildable with a low chance of development. There aren't many improvements they could make so he was unsure it would meet the requirements.

Chair Perkins suggested starting with the map provided by GZA, which assigned mitigation values to specific properties. He recommended starting with the higher valued parcels. Chair Perkins said he didn't think they needed to select a specific parcel this evening, but they could contact TFMoran (who sent the email) to discuss this further. Chair Perkins asked any Commissioners interested in working on the project to email him, otherwise he will work on it next week.

OTHER BUSINESS –

- **Subcommittee meeting schedules, agendas, and minutes** – *Submitted by Steve Perkins*

Chair Perkins added this item as a reminder. Subcommittee meetings should be submitted to the Community Development so they can be properly posted, meeting rooms can be booked, and minutes can be gathered. Chair Perkins noted there have been a few occasions recently where Subcommittee meetings had to be cancelled because an agenda wasn't provided in time and the

meeting hadn't been scheduled in advance. If the meeting were scheduled, Community Development could have reminded the subcommittee to provide an agenda in order to meet the RSA-91-A requirements.

APPROVAL OF MINUTES –

**Motion by Commissioner Perry to approve the December 11, 2023
Conservation Commission minutes without amendment.**

Motion Seconded by Commissioner Duane

Motion Carried

5-0-0

Abstained: Commissioner Welsh and Councilor Hunter

ADJOURNMENT –

Motion to Adjourn by Commissioner Welsh

Motion Seconded by Commissioner Perry

Motion Carried

7-0-0

The January 8, 2024 meeting of the Conservation Commission was adjourned at 7:29pm.